

Application No. 09/461,565
Amendment "D" dated March 10, 2004
Reply to Office Action mailed December 22, 2003

REMARKS

The latest Office Action, dated December 22, 2003, considered and rejected claims 1-3, 5-13, 15-21, 26-28 and 30-33 under 35 U.S.C. § 103(a) as being unpatentable over Harrison (U.S. Patent No. 5,694,163) in view of Schein (U.S. Patent No. 6,323,911)¹.

By this paper, claim 26 has been amended, claims 7, 11-13 and 15-19 have been cancelled, and new claims 34-39 have been added². Accordingly, claims 1-3, 5-6, 8-10, 20-21, 26-28 and 30-39 remain pending, of which claims 1, 20 and 26 comprise the only independent claims at issue.

While claim 1 is directed to a method, claims 20 and 26 are directed to corresponding device and computer-readable media claims. As recited in the claims, the present invention is directed to the display of video and chat in various selectable display modes, each mode defining the relative positions and sizes of the frames that are used to display the video and chat.

As recited, the selection of a link that is displayed with the video and chat, causes at least one of the size and position of the chat frame to change. The selection of the link can also cause the video frame to change, as recited in new dependent claims 34-35. The link can include, but is not limited to, such things as an object that is displayed within the chat frame. (see new dependent claims 36-37).

The embodiments of the invention can also include the display and selection of at least one additional link that corresponds with at least one additional display mode that is different than the first and second display modes and that when selected causes at least one of the size and position of at least one of the first and second frames to change. (see new dependent claims 38-39).

The primary reference cited by the Examiner, Harrison, discloses a method and system for inserting a television program TV signal into an encoded TV signal, such that the television program can be displayed in a first window and so that chat encoded data can be displayed in a

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² The amendments made to claim 26 has been made to correct the clarity of the claims and to improve the consistency of the claim language and has not been made to narrow the scope of the claim. Support for the new claims includes Figures 4-7; items 155, 165, 167, 175, 177, 185, 187; and the corresponding disclosure in the specification.

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second window. Col. 2, ll. 56-65. Harrison fails, however, to disclose any method or system in which the relative size or position of the video and chat windows are modified in response to a selection of a displayed link.

The secondary reference cited by the Examiner, Schein, is directed to a system for using television schedule information and, more particularly, to an interactive television guide. The portions of Schein that were referenced³ by the Examiner relate to a program information menu (130) and a corresponding browsing window (134) that can be displayed on top of primary programming being rendered on a display screen (132).⁴

As disclosed, the "Program InfoMenu 130" is used to display information about the primary programming (Figure 5B; Col. 10, ll. 30-42), or to display information relating to other programming while viewing the currently tuned program (Figure 5C, Col. 10, ll. 48-52). Schein also discloses that according to one exemplary configuration, the InfoMenu 130 includes a browsing window 134 that displays the program corresponding to the InfoMenu information.⁵ (Figure 5C, Col. 10, ll. 58-61). Accordingly, the viewer can utilize the browsing window 134 of the InfoMenu 130 as an actual picture-in-picture of the primary programming that is being displayed on the display screen (Figure 5B), or to display different programming (Figure 5C).

Although the browsing window 134 can display different programming, however, there is no reference or suggestion provided in Schein for using the browsing window 134 for anything but displaying video. Accordingly, there is no suggestion or motivation for combining the teachings of Schein with Harrison.

Nevertheless, even if the teachings of the two references are combined, Applicants respectfully submit that they still fail to anticipate or make obvious the claimed invention. In particular, both references fail to disclose any embodiment in which a link is displayed along with the displayed video and chat and that, when selected, causes at least the chat frame to change its size and/or position.

The Examiner states that Schein discloses such a link in Figure 5; Col. 1, ln. 58 thru Col. 2, ln. 23; and Col. 10, ll. 30-65. Applicant, however, strongly disagrees. Schein fails to make any reference at all to a displayed link that is displayed with the video and chat and that can be

³ The portions of Schein referenced by the Examiner for rejecting the independent claims consists of the following: Col. 1, ln. 58 thru Col. 2, ln. 23; Col. 10, ll. 30-65; and Figure 5C

⁴ Id.

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selected to change the size/position of the chat and/or video display frames. Instead, the referenced disclosure teaches one how to display programming that is being browsed on the InfoMenu 130. (Col. 2, ll. 15-19; Col. 10, ll. 57-65). As specifically stated "A single click of [a remote control] cylinder 24 would take the viewer to the browsed program. The remote control device may also include means for switching the sound between the currently tuned program and the program in the browsing window 134." (Col. 10, ll. 61-65).

For at least the foregoing reasons, Applicants respectfully submit that Schein does not disclose a link that is displayed with chat and video and that can be selected to change the size/position of the display frames. If, however, the Examiner wishes to pursue this line of reasoning, Applicants respectfully request that the Examiner identify the specific link, by reference number, in Schein that is purportedly being displayed so that the Applicants will have a fair opportunity to respond.

Next, even assuming *arguendo*, that Schein did disclose a link that is displayed for selection by a viewer, there is no disclosure to support the Examiners assertion that Schein enlarges the size of a chat frame when the *purported* link is selected. In making the assertion, the Examiner has suggested that Figure 5C shows 2 frames (132 (TV) and 134 (Chat)). However, it will be pointed out that frame 134 comprises the browser window, which is not used to display chat. Instead, it is used to display the programming corresponding to the InfoMenu 130, as previously described. Nevertheless, even assuming *arguendo*, that the browsing window 134 could display chat, there is no teaching in Schein for altering the size or position of the browsing window 134, even if a link was displayed and selected. To the contrary, the Schein browsing window does not change its size or position when a viewer selects a program. Instead, the selection of a program merely causes the program to be displayed, presumably on the primary display, although Schein is actually silent on this. (Col. 10, ll. 61-62). In particular, it is not clear whether the primary display rendered on screen 132 displays the selected programming from the InfoMenu or if it is the browsing window 134 that displays the selected programming. Either way, however, Schein fails to disclose or even suggest modifying the size and position of the browsing window 134 relative to the display screen 132. At the very most, the programming displayed on the browsing window 134 is selected from the InfoMenu 130 and channeled to the display screen 132, so that both screens 132 and 134 show the same thing (e.g., Figure 5B).

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Schein also fails to disclose the display of multiple links (e.g., the link and at least one additional link) that correspond to different display modes and that can be selected to change the display modes, as claimed in new dependent claims 38 and 39.

Accordingly, for at least the foregoing reasons, applicant respectfully submits that the pending claims 1-3, 5-6, 8-10, 20-21, 26-28 and 30-39 are neither anticipated by nor made obvious by the art of record, and are now, therefore, in condition for allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 10 day of March 2004.

Respectfully submitted,



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